

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairperson Eleanor Vaughn, on February 13, 1991, at 10 A.M. in room 331

ROLL CALL

Members Present:

Eleanor Vaughn, Chairman (D)
Bob Pipinich, Vice Chairman (D)
John Jr. Anderson (R)
Chet Blaylock (D)
James Burnett (R)
Bill Farrell (R)
Harry Fritz (D)

Members Excused: Senators Bob Hockett, Jack "Doc" Rea, Bernie Swift

Staff Present: David Niss (Legislative Council).

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: Senator Pipinich said that 2 lumber operations, 1 at Bonner and 1 at Libby closed down today, with little hope of reopening in the near future. Bonner mill employed 700 people. Libby mill employed 435 people. This is a blow to the state's economy.

HEARING ON HOUSE BILL 372

Presentation and Opening Statement by Sponsor:

Representative Bud Gould, House District 61, Missoula, called attention to the fiscal note. He said this is an act requiring a city joining the Firefighters' Unified Retirement System to pay excess unfunded liabilities; removing the requirement for a separate valuation of unfunded liabilities of all prior plans as of July 1, 1986.

Proponents' Testimony:

Larry Nachtheim, Administrator of the Public Employees' Retirement Board, said there are 13 cities in the consolidated fire system. There are some small systems that have the right by their own action to join the big system. This bill says if those small departments elect to join the system and they have an

unfunded liability they would be required to make up any unfunded liability that's in their system.

Larry Nachtheim said there is some language that the Legislative Auditor requested. Between 1981 and 1986 the law changed and the liability for the unfunded liabilities shift to the Tax Premium Fund. The individual cities were no longer required to pay it, there contributions were limited to the 14.02% and the Tax Premium Fund picked up any additional unfunded liability. To evaluate each city separately would have cost \$40,000 to no end because the cities weren't going to pay it anyway. The Board decided it was much more reasonable to do evaluation for \$10,000 for the whole system. It gave them what they needed to know. The State Auditor said this could come off the books and this bill does just that. (Exhibit 1)

Tim Bergstrom, Montana State Firemen's Association, this bill tries to establish the insurance solvency for the firemen's pension system. This bill prevents any large unfunded liability coming into the present system. They support House Bill 372.

Edward Flies, Montana State Council of Professional Firefighters, said they support this bill.

Opponents' Testimony:

None

Questions from Committee:

None

Closing By Sponsor:

Representative Gould thanked the committee and asked Senator Farrell to carry it to the Senate floor.

EXECUTIVE ACTION ON HOUSE BILL 372

Motion:

Senator Blaylock moved that we DO CONCUR IN HOUSE BILL 372.

Discussion:

None

Recommendation and Vote:

The VOTE was UNANIMOUS in favor of concurring in House Bill 372. Senator Farrell will carry it to the Senate floor. Senator Farrell moved that we put House Bill 372 on the Consent Calendar. The VOTE was UNANIMOUS in favor of using the Consent Calendar for House Bill 372.

HEARING ON HOUSE BILL 427

Presentation and Opening Statement by Sponsor:

Representative Gary Beck, House District 48, Powell County and Lincoln, said House Bill 427 is an act to make the Montana Law Enforcement Officers' Memorial in the old Montana State Prison in Deer Lodge, Montana, the state's official law enforcement officers' memorial.

Proponents' Testimony:

Terry Tyler, Executive Director and Coordinator of the Montana Law Enforcement Museum, handed information to the committee and read his testimony into the record. Please support House Bill 427. (Exhibits 2, 3 and 4)

Tom Harrison, represents the Montana Sheriffs' and Peace Officers' Association, and supports this bill.

Tom Schneider, Montana Public Employees Association, supports this bill because they have lost 2 member officers in the last 2 years and it's important to remember that kind of service.

Senator Tom Beck supports this memorial.

Mark Langdorf, on behalf of the American Federation of State, County, and Municipal Employees', supports House Bill 427.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Burnett asked what has been done at the prison? Terry Tyler said the Montana Law Museum opened up in 1/3 of the old administration building. It's open seasonal from May to October. There is 4000 square feet housing memorabilia.

Closing by Sponsor:

Representative Beck thanked the committee and said it's a tribute to our law enforcement officers. J. D. Lynch will carry H. B. 427 to the floor.

EXECUTIVE ACTION ON HOUSE BILL 427

Motion:

Senator Farrell moved that we DO CONCUR IN HOUSE BILL 427.

Discussion:

None

Recommendation and Vote:

The VOTE was UNANIMOUS in favor of concurring with House Bill 427. Senator Pipinich moved that we put House Bill 427 on the Consent Calendar. The VOTE was UNANIMOUS in favor of using the consent calendar.

HEARING ON SENATE BILL 175Presentation and Opening Statement by Sponsor:

Senator Tom Beck, Senate District 24, Deer Lodge, introduced Senate Bill 175. Senate Bill 175 separates engineers and maintenance personnel in professional and management positions in the Department of Highways from the statewide pay plan. Trying to hire engineers and trying to keep good staff in Montana is difficult because of low wages. The extensive highway system of Montana needs maintenance. The building program needs good engineers. (Exhibit 10)

Proponents' Testimony:

Keith Colbo, Attorney for some highway employees, said the department's retention and recruitment is lacking funds to compete in the job market for significant employees. This bill seeks to take certain management and professional positions, approximately 900 state wide, out of the statewide pay plan. Competitive wages is the best solution to the problems the Highway Department has. An exception was granted administratively, to the environmental engineers of the Department of Health, and it amounted to 15% the first year and 10% the second year. The Department's difficulties in recruitment and retention was explained in great detail.

Gary Gilmore, an employee of the Montana Department of Highways, said that some of his responsibilities in the Department of Highways is hiring new employees and carrying out the goals of the department. He gave the committee an article written by Dan Huestis, P.E., Chairman, Montana Highway Commission. (Exhibit 5) He gave several examples of employees being hired by other state and private industry. He told how experienced personnel retire as early as possible and find work in other states at very nice salaries. There are 46 field project managers in the department, in the past 4 years 20 have left. 75% are currently working in the private sector in highway related activities. Quality employees save their employers money. Montana pays 30% below the market rate. Exempting these people from the state pay plan will allow the department to address this problem in a positive way.

Gordon Larson, Administrator of the Engineering Division, Department of Highways, is responsible for hiring engineers for the department. He explained the problems the department has in recruiting engineers and also explain some of the retention and pay problems. Recruitment problems are in 2 major areas, 1 new engineers just graduating from college with very little experience, and 2 the recruitment of experienced engineers that can produce immediately with little or no additional training. There continuous recruitment policy consists of interviewing and reviewing through the University System, brochures and participation in MSU's intern program. He's lowered qualifications for starting civil engineer positions, by not requiring an EIT certificate. In 1989 he advertised for 6 starting engineers and hired 2. This process took six months. He had more examples of unfilled vacancies, of engineers going elsewhere for employment, of poorly qualified people applying for the positions. Their recruitment efforts are stymied by the lack of salaries offered. He has even advertised nationally for engineers. Please pass Senate Bill 175.

Ted Lang, a professor of Montana State University, stated that their engineer programs are ranking very well in national recognition. He collects data on graduates. (Exhibit 6, 7 and 10) He spoke of the internship program and the highway department has not captured many of the interns placed there, primarily because of the salaries that were offered. The highway department needs good engineers in all the different areas of expertise, and the need will become more acute the longer it's left.

Opponents' Testimony:

Steve Johnson, Chief of the State Labor Relations Bureau, and Chief Negotiator in Collective Bargaining for the Executive Branch of State Government, said the administration opposes Senate Bill 175. It exempts certain employees of the Department of Highways from the statewide classification and pay plan as well as the general personnel policies covering state employees. He estimates it might cover 150 to 225 positions. This is 2% of all the employees currently covered by the statewide pay matrix. This bill enables the Department of Highways to provide this group of employees a pay raise above and beyond those in the statewide pay matrix. House Bill 337 would appropriate about \$1 million for this purpose. Because of the pay compression in the statewide matrix, professional salaries in state government are generally well below the market. Many agencies have been forced to seek pay exceptions, which allow them to recruit at higher salaries in order to fill professional vacancies. He handed the committee a graph of pay exception request in the past several years. (Exhibit 8) Pay exceptions are not fair to the rest of the state employees and departments who do not have the resources to seek them. This bill will create a situation where non-general fund agencies will be paying higher salaries than general fund agencies. Patchwork solutions have been instigated in

different departments of state government. During the last legislative session employees of the State Workmen's Compensation Fund received an exemption and as a result those professional employees received a raise twice as large as those granted other professionals in state government. Exceptions and exemptions are the wrong way to address this problem. He proposes a market based pay philosophy and establish pay raises that reflect the market.

Steve Johnson said the Department of Highways is not the only department that employees engineers and Senate Bill 175 would enable the department to hire from other departments. The departments of Fish, Wildlife and Parks, Natural Resources and Conservation, State Lands and Health and Environmental Sciences, also employ engineers. He urged a do not pass on Senate Bill 175. (Exhibit 14)

Questions From Committee Members:

Senator Blaylock asked Keith Colbo if we should abolish the pay plan? Absolutely not. Senator Blaylock asked how can we treat these people differently? Keith Colbo answered that the entire state needs a good pay system. We do not have that today. The Highway Department has a big immediate problem that will continue to impact that department. He agrees with a market based philosophy but you have to fund it.

Senator Blaylock asked Gary Gilmore if he got applications from Montana for the positions? They didn't get applications from outside the state or outside the department in most cases. It's difficult to find qualified applicants.

Senator Blaylock asked Gary Gilmore if he was in favor of increased taxation in Montana to do what they should do? Gary Gilmore responded is there another way to raise money? Basically, the Highway Department is not a general fund agency, less than 1/2 the money required does not come from the general fund. It would come from federal highway funds, and be charged to projects, which is where much of the wages and costs are charged to in the department.

Senator Anderson asked Steve Johnson to explain market based pay system. Steve answered it is a system pegged to the market that is surveyed through salary surveys. He is pushing House Bill 509, which includes a market that was recommended by the Committee on State Employee Compensation and includes the 4 contiguous states and Washington. Then they get an average salary, that other employers pay in comparable positions at each grade level. From that average they set rates and move employees who are under the current entry rate to those entry rates and get them to the average that other employers pay. House Bill 509 doesn't do this quickly, but it does increase the entry rates for professional grade levels by a fairly significant amount. This should help recruitment.

Senator Blaylock asked Ted Lang if he would support additional taxes if they proposed it? Ted Lang responded that the tax coalition has a plan that he could support. He feels an administrator should have the flexibility to hire quality instead of quantity. Is giving this exemption driving the system toward a more comprehensive system? The Highway Department has pretty severe shortages in current personnel.

Senator Blaylock said if we are going to do the things that are being requested, you need more money and that comes from taxes. We need to do something for the entire system, rather than piece meal.

Closing by Sponsor:

Senator Beck offered an amendment before he closed. (Exhibit 9) He reiterated that we need qualified personnel for highway construction and maintenance, and we need to get into the market.

EXECUTIVE ACTION ON SENATE BILL 175

Motion:

Senator Blaylock moved to accept the AMENDMENTS as presented by Senator Beck.

Discussion:

None

Amendments, Discussion, and Votes:

The VOTE was UNANIMOUS in favor of accepting the Amendments to Senate Bill 175.

Recommendation and Vote:

Senator Farrell moved to TABLE SENATE BILL 175. The VOTE was UNANIMOUS in favor of tabling Senate Bill 175.

DISCUSSION ON SENATE BILL 264

Discussion:

Senator Fritz offered the amendments that Leroy Schramm had prepared. The committee gave them to Attorney Niss to prepare and return the next day to work on them. (Exhibit 11)

EXECUTIVE ACTION ON SENATE BILL 251

Motion:

Senator Farrell moved that we accept the AMENDMENTS as presented in exhibit 12 to Senate Bill 251.

Discussion:

Attorney Niss explained the amendments and what they did to the bill.

Amendments, Discussion, and Votes:

The VOTE was UNANIMOUS in favor of accepting the amendments.

Recommendation and Vote:

Senator Blaylock moved that SENATE BILL 251 DO PASS AS AMENDED. The Vote was UNANIMOUS in favor of passing S. B. 251.

ADJOURNMENT

Adjournment At: 11:45 A.M.


ELEANOR VAUGHN, Chairman


DOLORES HARRIS, Secretary

EV/dh

ROLL CALL

STATE ADMINISTRATION COMMITTEE

DATE Feb 13, 1991

52 LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR ELEANOR VAUGHN	X		
SENATOR BOB PIPINICH	X		
SENATOR JOHN ANDERSON	X		
SENATOR CHET BLAYLOCK	X		
SENATOR JAMES BURNETT	X		
SENATOR "BILL" FARRELL	X		
SENATOR HARRY FRITZ	X		
SENATOR BOB HOCKETT			excused
SENATOR JACK "DOC" REA			excused
SENATOR BERNIE SWIFT			excused

Each day attach to minutes.

DATE _____

February 13

COMMITTEE ON

VISITORS' REGISTER

[illegible]

HB 372

TESTIMONY of the
PUBLIC EMPLOYEES' RETIREMENT BOARDPresented by Lawrence P. Nachtsheim, Administrator
Public Employees' Retirement Division

The Public Employees' Retirement Board has requested this legislation to serve two separate but interrelated purposes.

First, the bill is designed to prohibit the transfer of unfunded liabilities from local plans to the statewide plan without continuing responsibility for those liabilities by the city transferring into the FURS.

The rationale behind this request is that, as the law now stands, additional unfunded liabilities to FURS will require increased contribution rates from either the current member cities or the state from the insurance premium tax fund. The current statutory funding rate of 42% of salaries is required to fund accruing benefits and amortize current unfunded liabilities, any additional liabilities can not be absorbed without additional funding.

Funding for additional liabilities brought into the plan should remain the responsibility of the incoming city and should not be borne by either the state or other cities.

Second, at the recommendation of the Legislative Auditor, the Board proposes to repeal the requirement for a separate valuation of the unfunded liabilities of all prior plans as of July 1, 1986.

The requirement for this separate valuation was placed in law prior to a 1983 amendment providing additional funding from the insurance tax premium fund to pay the unfunded liabilities of the system. The original intention of the Firefighters' Unified Retirement Act was that individual city members would be required to make additional payments to retire any unfunded liabilities which could not be amortized by the current employer and state contributions to the system.

Subsequently, a statutory increase in the amount contributed by the state from the insurance tax premium fund (from 18% to 22.98% of salaries) was enacted. The regular 1986 actuarial valuation of the FURS determined that current contributions to the system were sufficient to amortize all unfunded liabilities within an acceptable timeframe. Therefore, the Retirement Board determined that a separate valuation of excess unfunded liabilities was not necessary since there were no excess unfunded liabilities.

The Legislative Auditor has indicated the PERD is technically out of compliance with law for not conducting this separate valuation. The most recent audit report of the retirement division recommends the Board seek repeal of this unnecessary valuation.

On behalf of the Public Employees' Retirement Board, we request your approval of this legislation.

SENATE STATE ADMIN.

EXHIBIT NO. 2

DATE 2-13-91

BILL NO. 78437



"... in historic
Old Montana State Prison"
Deer Lodge

P.O. Box 107
Deer Lodge, Montana 59722

A Non-profit
Educational
and
Historical Incorporation

"Historical Law & Order Notes..."

- 1841: First white settlement established, St. Mary's Mission, Bitterroot Valley.
- 1858: Gold discovered.
- 1863: April, Henry Plummer, outlaw gang leader, elected sheriff of all gold camps south-east of Bitterroot Mountains.
- 1863: June, 29, D.H. Dillingham first lawman killed in line of duty; assassinated by Plummer gang.
- 1863: December, 102 known killed and over a quarter of million in gold stolen by outlaws. Outraged citizens form Vigilante committee; within five weeks 21 outlaws hung (including Henry Plummer), countless others banished from territory.
- 1864: May 26, Montana Territory created under the Abraham Lincoln Administration.
- 1865: U.S. Marshal's office established in Helena.
- 1866: First U.S. Military Post, Camp Cooke, created on Judith River.
- 1871: U.S. Territorial Prison opens in Deer Lodge under direction of U.S. Marshal.
- 1873: Beginning of the Royal Canadian Mounted Police, to "destroy illegal whiskey trade and lawlessness" caused by the "Whoop-Up Trail" running from Fort Benton into the Canadian Northwest Territories.
- 1876: Sioux Indians defeat Col. George Custer and 7th Cavalry at Little Big Horn River.
- 1884: Vigilantes ride again, after cattle rustlers.
- 1885: Montana Department of Livestock instituted.
- 1889: November 8, Montana becomes 41st state of the United States; 16 original counties organized and 16 sheriffs appointed.
- 1890's: Harvey Logan, alias Kid Curry, the "Desperado from the Little Rockies," begins outlaw career robbing trains in northern plains.
- 1901: Department of Fish, Wildlife and Parks began.
- 1921: Ruth Garfield becomes first female sheriff after husband Jesse was shot and killed in line of duty in Golden Valley County.
- 1935: Montana Highway Patrol established.
- 1959: Montana Law Enforcement Academy created.
- 1985: July 14, Montana Law Enforcement Officers Memorial dedication site in original Territorial Prison.
- 1989: May 5, Governor Stan Stephens signs statewide proclamation establishing May 15 as Montana Peace Officers Memorial Day, and its week as Montana Peace Officers Week.
- 1989: May 15, first annual Montana Peace Officers Memorial Day ceremonies conducted at Officers Memorial site; new Montana Law Enforcement Museum opens to public.

MONTANA LAW ENFORCEMENT MUSEUM

P.O. Box 107

Deer Lodge, Montana 59722

SPONSOR-MEMBERSHIP REGISTRATION:

☐ Enclosed, please find my check (or money order) for annual membership, made payable to the Montana Law Enforcement Museum, Inc. in the amount of and for the category marked:

☐ \$10 (single)

☐ \$20 (family)

☐ \$40 (Patron)

☐ \$ _____ (other: _____)

Name: _____ Rank: _____

Address: _____

City: _____ State: _____ Zip: _____

To assist the museum, please check where appropriate:

☐ I am not affiliated with law enforcement.

☐ I am affiliated with law enforcement; Department: _____

☐ Please contact me regarding volunteer work.

☐ Please contact me, I would like to ☐ donate or ☐ loan an article(s) of historical/educational value to your museum.

(Sponsor-Members receive one year's free admittance to the Old Montana State Prison, which houses the Montana Law Enforcement Museum and Memorial)

*** OFFICIAL SPONSOR/MEMBERSHIP REGISTRATION ***

Any law enforcement officer or citizen friend of law enforcement may join!

The Montana Standard, Butte, Wednesday, May 16, 1990—5

Anaconda / Area

Slain lawmen honored at museum opening

By Duncan Adams
Standard Staff Writer

Five years ago, Anaconda-Deer Lodge County Police Lt. Timothy "Sox" Sullivan died the way so many officers do: Responding to the scene of a domestic disturbance.

On that bloody Sunday — Feb. 10, 1985 — a rampaging husband shot Sullivan three times with a .357 magnum.

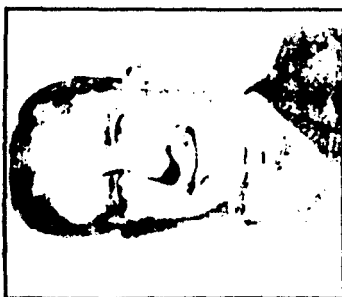


In June 1985, Deputy Sheriff D.H. Dillingham, Montana Territory, Bank, was shot and killed by members of outlaw Henry Plummer's road agent gang.

On Sept. 20, 1935, Jeremiah J. Murphy, chief of the Butte police department, died from head injuries suffered while attempting to subdue an armed assailant.

On Tuesday afternoon, those three lawmen and 86 of their brother officers were remembered during Montana Peace Officers' Memorial Day ceremonies at the old Montana State Prison in Deer Lodge. Surviving family members of the officers were honored guests.

Li. Gov. Allen Kolstad participated Tuesday, paying tribute to police



JEREMIAH MURPHY
Died Sept. 20, 1935

officers, game wardens, corrections officers and other law enforcement personnel who have died in the line of duty.

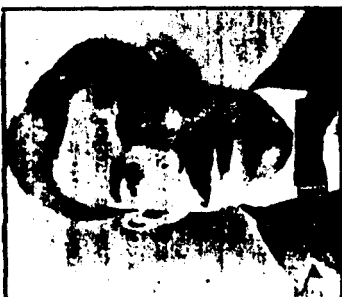
"We cannot bring back the dead, but we can honor them and we can comfort those left behind," Kolstad said.

Tuesday's ceremony was held in a small, cold, dimly lit auditorium in the basement of the old prison's administration building. But the setting did not seem to matter. Memory was at the core of the ritual.

A hand-lettered sign posted on the concrete wall read: "Please reserve the first three rows of seating for families of slain officers."

Although Kolstad acknowledged that the sacrifices of officers and families can never be repaid, he said, "What we can do is promise those who wear the badge that their sacrifices will not have been in vain."

The lieutenant governor said citizens have an obligation to support the work of peace officers, work he said becomes increasingly danger-



JOHN ROBINSON
Slain March 8, 1908

Not all of the officers honored here died at the hands of violent criminals. Some were killed in accidents. A game warden suffered a



FRED PARLIN
Shot March 18, 1896

formed officers saluted. Family members wept, embraced, or simply turned to each other with wordless glances.

A short time later, Naomi Sullivan, the widow of Lt. Timothy "Sox" Sullivan, was asked to describe her reactions to the ceremony and to the Law Enforcement Museum.

"This is really a tribute. Too many people forget too fast," she said. "I think it helps family members to realize that other people might appreciate the sacrifices these officers made."

The portrait of Timothy "Sox" Sullivan hangs only inches away from a framed photograph of Montana Highway Patrolman Michael M. Ren. Ren was shot and killed April 8, 1978, while serving legal papers.

On Tuesday, Ren's son, Jerry, now 17, said he is glad the Montana Peace Officers' Memorial Day has become an annual event. Carol Ott, Ren's wife, said the yearly tribute



MICHAEL REN
Killed April 8, 1978

was "the least we can do... They gave their lives for it."

As Museum Coordinator T.L. Tyler read the "Last Roll Call" in the ceremony's closing moments, he named the officer who had died most recently in the line of duty. Orville Sharbond, chief of the Fairview police department, was shot and killed March 17, 1990, while serving civil papers.

From Dillingham to Sharbond, 89 men were remembered Tuesday. To date, no women officers are known to have died in the line of duty. According to Tyler, Highway Patrol Officer Mary Pat Murphy may have survived a recent shooting because the bullet that hit her struck her badge first.

According to Kolstad, communities should be grateful for the men and women who put their lives on the line every time they pin on a badge. And those who die on the job deserve to be remembered, he said. "We must remember. We owe it to them."

As Montanans, as Americans, and as moral human beings, we have an obligation to see that crime does not pay

at half-mast in honor of officers who have died in the line of duty.

Upstairs from the ceremony hall, portraits of these officers line two full walls of the Montana Law Enforcement Museum. A few portraits are line drawings. Most are photographs. Some, like Sheriff Dillingham's portrait, are simply silhouettes cut from black paper.

The ceremony ended with the mournful notes of "Taps." Uni-



MONTANA LAW ENFORCEMENT MUSEUM, INC.

"In Historic Old Montana State Prison"

P.O. Box 107

Deer Lodge, Montana 59722

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A Non-profit, Educational and Historical Organization

MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

(Officers Slain Statistics)

BOARD OF DIRECTORS MEMBER ORGANIZATIONS:

Montana Attorney General
Montana Law Enforcement Services
Division
Montana Law Enforcement Academy
Montana Sheriffs & Peace Officers
Association
Montana Association of Chiefs of
Police
Association of Montana Highway
Patrolmen
Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Butte-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

MEMBER OF:

Museums Association of Montana
Gold West Country of Montana

Total Number of Officers in Memorial: 90 (since 1863)

A. Shot and Killed: 63
B. By Fatal Injury: 18
C. By Heart Failure/Over Exertion: 9

1. Persons Resisting Arrest: 21

By Shooting: 20
By Injury: 1

2. Searching for, Approaching or Questioning
Suspects: 17

3. Motor Vehicle Accidents: 11

By Drunk Drivers: 4

4. Assassination: 9

Planned: 6
Random: 3

5. Suspect/Prisoner Escape: 8

6. Domestic Disturbance: 7

7. Strenuous Circumstances: 7

8. Mistaken Identity: 3

9. Airplane Crash: 3

10. Accidental Weapon Discharge: 2

11. Explosion: 2

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information is granted, provided credit is given to the Montana
Law Enforcement Officers' Memorial-Montana Law Enforcement Museum.

15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY



MONTANA LAW ENFORCEMENT MUSEUM, INC.

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MONTANA LAW ENFORCEMENT OFFICERS MEMORIAL

(Officers Slain Statistics - Positions Held)

BOARD OF DIRECTORS MEMBER ORGANIZATIONS:

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Montana Sheriffs & Peace Officers
Association
Montana Association of Chiefs of
Police
Association of Montana Highway
Patrolmen
Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Butte-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

MEMBER OF:

Museum Association of Montana
Gold West Country of Montana

Chief of Police.....	4
Assistant Chief.....	1
Lieutenant.....	1
Police Sergeant.....	2
Detective.....	1
Police Patrolman.....	22
Special Officer.....	1
Sheriff.....	13
Undersheriff.....	9
Chief Deputy.....	1
Lieutenant.....	1
Sergeant.....	1
Deputy Sheriff.....	10
Special Deputy.....	2
City/Town Marshal.....	3
Correctional Officer/Jailer.....	2
Highway Patrolman.....	4
Game Warden.....	7
State Prison Deputy Warden.....	2
State Criminal Investigator.....	1
Federal Agent.....	2

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15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY



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MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

(Officers Slain-Department Stats:)

BOARD OF DIRECTORS MEMBER ORGANIZATIONS:

Montana Attorney General
Montana Law Enforcement Services
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Montana Sheriffs & Peace Officers
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Montana Association of Chiefs of
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Association of Montana Highway
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Montana Association of State Fish
and Game Wardens
Montana Livestock Inspectors
Association
Montana Police Protective Association
Montana Corrections Association
Montana County Attorneys
Association
Powell County Sheriff's Department
Deer Lodge Police Department
Butte-Silver Bow County Law
Enforcement
Great Falls Police Department
Office of the Warden,
Montana State Prison

MEMBER OF:

Museum Association of Montana
Gold West Country of Montana

1. Silver Bow County - 1
Butte Police - 11
2. Montana Fish, Wildlife & Parks - 7
3. Montana Highway Patrol - 4
4. Montana State Prison - 4
5. Yellowstone County - 3
Billings Police - 3
6. Beaverhead County - 3
Bannack - 1
Dillon Police - 1
7. Missoula County - 3
Missoula Police - 2
8. Cascade County - 1
Great Falls Police - 3
9. Park County - 1
Livingston Police - 3
10. Bureau of Indian Affairs/Indian Agents - 3
11. Meagher County - 3
12. Big Horn County - 2
Golden Valley County - 2
Madison County - 2
Sheridan County - 2
Sweet Grass County - 2
Columbia Falls Police - 2
13. Custer County - 1
Miles City - 1

Deer Lodge County - 1
Anaconda Police - 1

Lewis & Clark County - 1
East Helena Police - 1

(continued...)

15 MAY - National and Montana Peace Officers' Memorial Day

HELP PRESERVE THE MEMORY OF OFFICERS SLAIN IN THE LINE OF DUTY

Toole County - 1
Shelby Police - 1

United States Treasury - 1

Montana Criminal Investigation Bureau - 1

Fallon County - 1
Gallatin County - 1
Liberty County - 1
Powell County - 1
Stillwater County - 1
Treasure County - 1
Valley County - 1

Fairview Police - 1
Glendive Police - 1
Havre Police - 1
Thompson Falls Police - 1

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MONTANA LAW ENFORCEMENT OFFICERS' MEMORIAL

SENATE STATE ADMIN.

EXHIBIT NO. 4

DATE 2-13-91

BILL NO. HB 427

My name is Terry L. Tyler and I am volunteer coordinator of the non-profit Montana Law Enforcement Museum located at Old Montana State Prison, Deer Lodge.

Presently, the Montana Law Enforcement Officers' Memorial, established in 1985 as a part of the Montana Law Enforcement Museum, stands as the first and only vestage of remembrance and honor to our state's 90 known slain in the line of duty law officers since as early as 1863. When first established, this Officers' Memorial became one of only 15 nationwide. The Montana Law Enforcement Museum, and therefore the Montana Law Enforcement Officers' Memorial, is solely owned and governed by the professional law enforcement, criminal justice and corrections associations of Montana; namely, the Montana Sheriffs and Peace Officers Association, Montana Association of Chiefs of Police, Association of Montana Highway Patrolmen, Montana Association of State Fish and Game Wardens, Montana Livestock Inspectors Association, Montana Police Protective Association, Montana Corrections Association, Montana County Attorneys Association, and Montana Retired Police Officers Association. Also serving on the law museum's governing Board of Directors are the Office of the Attorney General, Montana Law Enforcement Services Division, Montana Law Enforcement Academy, Office of the Warden of Montana State Prison, resident Powell County Sheriffs Department and Deer Lodge Police Department, as well as Butte-Silver Bow Law Enforcement Agency and Great Falls Police Department.

Before the existance of the Montana Law Enforcement Officers' Memorial, most of Montana's agencies didn't even know they had had fellow officers who lost their lives performing their sworn duties. Because of the Memorial, our state's law officers are once again and now forever known to their respective agencies and the public they serve and died for.

Because of the Montana Law Enforcement Officers' Memorial, it was made possible for Montana's 90 to also become nationally honored and remembered within the American Police Hall of Fame, the nation's only current officers' memorial, and the soon-to-be federal government's National Law Enforcement Officers Memorial scheduled for Washington, DC, and the Law Enforcement Memorial Foundation set for Chicago, Illinois.

Since its establishment, the Montana Law Enforcement Officers' Memorial has become a symbol of long awaited comfort, and a rallying point for the surviving families of slain Montana officers. Because of the Memorial, officers and public citizens alike are faced with the ever present reality and day-to-day dangers that exist with being a peace officer in Montana. It is a sobering reminder that officers are not immune from the Job's perils which hide behind any given corner or shadow, and are therefore deserving of respect and appreciation for serving their fellow men and women on our domestic soil. It also stands as positive proof to all officers and their families that should similar fact befall them, as with those who are already honored in Montana's "Honor Row," their sacrifice for justice, protecting and serving their community and this great state will not be forgotten.

For these reasons, the Board of Directors of the Montana Law Enforcement Museum respectfully ask for the quick and successful passage of HB 427 that will designate the present Montana Law Enforcement Officers' Memorial as the State of Montana's officially recognized memorial to its domestic soldiers who have died in the war against crime and injustice. The Montana Law Enforcement Museum seeks no state funding in connection with the passage of this Bill. The 1991 Montana Legislature possesses in HB 427 the opportunity to express this state's appreciation and honor to its fallen officers who enforce its laws and protect its peace.

Thank you for your time and consideration.

YOU GET WHAT YOU PAY FOR

by Dan Huestis, P.E.

Chairman, Montana Highway Commission

"You Get What You Pay For" is an old and well understood phrase. It is my belief that it has never been more apt than when applied to engineering talent in an engineering/construction organization.

I wonder at times if anyone is paying attention, but the number of B.S. degrees in engineering dropped three percent in 1989, from 71,121 in 1988 to 68,824 in 1989, according to the American Association of Engineering Societies (AAES).

The proportion of women, blacks and hispanics remains about the same. Women earned fifteen percent of the degrees, blacks and hispanics received about three percent each.

By discipline, drops occurred in almost every field. There were 7,700 graduate civil engineers, 4,500 industrial engineers and 840 material engineers in 1989. Fewer yet follow through and obtain their professional registration as engineers in accordance with the law.

The decline is alarming! There were 10,500 B.S. civil engineering degrees in 1984 versus 7,700 in 1989. Projected figures show a continued decline over the next five years.

All this in the face of a need for civil engineers in highway agencies projected to grow at the rate of about 5% per year.

Since state transportation agencies are the major employers of civil engineers, the shortage will impact most directly on them.

Which in my instance is us - in the Montana Department of Highways.

And how are we responding to this. Through some distorted system of values, we are offering \$17,000/year starting pay for B.S. engineers. The average of all state highway department's starting pay for B.S. engineers is \$23,000.

The M.S.U. average annual salary for graduating civil engineers is \$25,000+. Nearly 50% more than the Department of Highways can pay at present!

SENATE STATE ADMIN.

EXHIBIT NO. 5

DATE 2-13-91

Our Department has some ~~1900~~ employees, of which ~~only~~ ⁵⁶³ ~~seventy~~ ¹⁷⁵ are registered professional engineers. A respected economist Pat Choate, Vice President of Policy Analysis for TRW, Inc., estimates that the recruitment, placement and training costs of replacing an engineer in the average American firm is \$180,000.

My questions are:

- 1) How does Montana expect to compete in the 21st century if it underpays the very skilled people it will surely need if we are to address our State's unanswered transportation problems?
- 2) How can we afford to continually lose the engineers we have to more competitive salaries being paid by other employers?

Now, what have I done to solve the problems?

I have testified before the Committee on State Employee Compensation which was formed to review the current state pay plan and propose revisions to the next legislature.

My testimony was a ringing indictment of the current pay plan. I encouraged them to carve out professional people from the pay plan and pay them the salary they deserve as dictated by the marketplace.

The Committee's final report did not exempt professional people as I asked, but did go to a marketplace based salary system which I believe would greatly help.

Readers may wish to track the proposal through the legislature.

Montana, like everyone else, will get what it pays for in engineers.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Bachelor's Degree Candidates

DATE 2-13-91

(Data Combined for Men and Women)

BILL NO. SB 175

By Curriculum For All Types of Employers	Number of Offers	Average \$ Offer		Percent Change in \$ Offers from September 1990	Percentiles		
	January 1991	January 1991	September 1990		90th	50th	10th
BUSINESS							
Accounting.....	552	\$25,700	\$26,391	-2.6%	\$29,700	\$26,000	\$21,000
Business Administration (incl. Management Science).....	198	22,537	23,529	-4.2	30,000	22,000	16,000
Distribution Management.....	2	25,850	25,079	*	*	*	*
Economics & Finance (incl. Banking) ..	192	24,325	25,184	-3.4	30,000	24,000	18,000
Hotel/Restaurant Management.....	23	21,526	20,752	3.7	22,000	22,000	22,000
Human Resources (incl. Labor Relations).....	29	23,681	23,101	2.5	30,000	24,000	16,000
Management Information Systems ...	61	27,560	27,428	0.5	32,000	28,000	23,000
Marketing/Marketing Management (incl. Research).....	185	22,966	23,543	-2.5	28,500	22,750	18,000
Real Estate.....	4	20,080	24,509	*	*	*	*
COMMUNICATIONS							
Advertising.....	12	20,417	20,742	*	*	*	*
Communications.....	48	21,533	21,002	2.5	29,700	21,800	15,000
Journalism.....	29	18,113	19,488	-7.1	23,500	16,000	13,200
Telecommunications/Broadcasting. . .	4	20,290	20,413	*	*	*	*
EDUCATION							
Elementary Education.....	99	19,791	18,974	4.3	23,975	20,000	14,000
Pre-Elementary Education.....	14	19,615	17,507	*	*	*	*
Physical Education.....	14	18,142	19,904	*	*	*	*
Special Education.....	18	23,361	20,433	*	*	*	*
HOME ECONOMICS							
Human Ecology.....	7	18,171	19,383	*	*	*	*
Textiles & Clothing.....	4	24,200	20,662	*	*	*	*
Merchandising Management.....	15	21,620	19,496	*	*	*	*
HUMANITIES & SOCIAL SCIENCES							
Foreign Languages.....	6	22,432	23,607	*	*	*	*
Letters.....	26	21,653	21,566	0.4	27,600	20,500	17,500
Visual & Performing Arts.....	18	19,904	20,588	*	*	*	*
Humanities-Other.....	16	21,310	23,213	*	*	*	*
Criminal Justice.....	16	20,708	20,745	*	*	*	*
History.....	10	21,470	22,715	*	*	*	*
Political Science/Government.....	31	21,285	23,677	-10.1	26,000	22,000	16,800
Psychology.....	31	18,706	20,688	-9.6	22,983	19,000	12,050
Sociology.....	23	19,213	20,134	-4.6	23,000	19,500	14,400
Social Sciences-Other.....	39	19,149	21,627	-11.5	23,500	18,500	14,400
ENGINEERING							
Aerospace & Aeronautical.....	36	30,019	30,509	-1.6	33,500	30,160	26,252
Agricultural.....	10	32,890	30,127	*	*	*	*
Architectural.....	11	30,987	28,916	*	*	*	*
Bioengineering & Biomedical.....	3	25,833	30,052	*	*	*	*
Chemical.....	199	36,968	35,122	5.3	39,600	37,500	34,800
Civil.....	193	29,194	28,136	3.8	34,200	29,040	24,752

N/A - No historic data available

* Not computed for fewer than 20

Continued...

Bachelor's Degree Candidates

(Data Combined for Men and Women)

By Functional Area For All Types of Employers	Number of Offers		Average \$ Offer		Percent Change in \$ Offers from September 1990	Percentiles		
	January 1991	January 1991	January 1991	September 1990		90th	50th	10th
FINANCE								
Accounting (Public)	386	\$26,223	\$26,824	-2.2%		\$30,000	\$26,500	\$22,200
Accounting (Private)	162	23,880	25,273	-5.5		27,996	24,998	17,000
Commercial Banking (Consumer)	14	21,571	21,915	*		*	*	*
Commercial Banking (Lending)	12	20,667	24,171	*		*	*	*
Investment Banking (Corporate Finance)	9	26,311	29,065	*		*	*	*
Investment Banking (Mergers & Acquisitions)	1	24,000	26,534	*		*	*	*
Investment Banking (Real Estate)	3	18,500	25,358	*		*	*	*
Investment Banking (Sales & Trading)	6	22,633	23,226	*		*	*	*
Financial/Treasury Analysis	67	25,478	26,692	-4.5		31,500	26,000	20,000
Portfolio Management/Brokerage	6	22,500	23,430	*		*	*	*
Insurance (Underwriting)	26	23,647	24,012	-1.5		27,996	24,000	20,000
Insurance (Claims)	28	23,133	22,456	3.0		26,200	23,450	20,000
COMMUNICATIONS								
Design/Graphic Arts	9	20,838	20,370	*		*	*	*
Media Planning	1	29,000	19,795	*		*	*	*
Reporting	9	15,702	16,517	*		*	*	*
Production	15	20,964	25,338	*		*	*	*
Public Relations	14	18,789	20,322	*		*	*	*
Writing/Editing	10	18,980	19,972	*		*	*	*
MARKETING								
Advertising	6	22,300	21,927	*		*	*	*
Brand/Product Management	18	25,476	25,442	*		*	*	*
Buyer/Merchandising	30	22,323	23,021	-3.0		27,480	22,875	18,000
Distribution	9	25,011	26,152	*		*	*	*
Market Research	25	24,375	25,128	-3.0		31,500	25,000	16,500
Purchasing	9	23,500	24,204	*		*	*	*
Sales	208	24,737	24,719	0.1		31,500	25,000	18,000
PUBLIC ADMINISTRATION								
Executive, Legislative, & General	16	19,658	21,236	*		*	*	*
Finance, Taxation, Monetary Policy	28	22,367	23,017	-2.8		25,500	22,650	20,195
Economic Programs	2	20,800	24,373	*		*	*	*
Law Enforcement	12	22,699	24,037	*		*	*	*
Military	17	23,059	22,375	*		*	*	*
National Security	2	24,500	24,459	*		*	*	*
Urban/Regional Planning	2	18,910	23,546	*		*	*	*
ENGINEERING								
Bioengineering	4	24,500	33,193	*		*	*	*
Design/Construct	189	30,747	30,096	2.2		37,400	30,000	24,812
Environmental/Sanitation	33	30,023	29,334	2.3		36,000	30,156	24,000
Manufacturing/Industrial	188	33,390	31,948	4.5		37,500	33,600	29,400
Systems/Programming	54	32,229	31,078	3.7		35,000	33,036	26,252
Power Systems	62	33,070	31,720	4.3		36,000	33,000	27,600
Software Design & Development	33	32,319	31,802	1.6		35,000	33,300	29,380
Hardware Design & Development	26	32,708	32,303	1.3		35,100	34,000	26,252
Research & Development	73	33,239	32,283	3.0		38,400	35,000	26,252
Testing	39	30,934	30,205	2.4		34,400	31,720	25,000
Process Engineering	176	37,176	35,045	6.1		40,000	37,500	34,000
Project Engineering	145	34,238	32,130	6.6		39,300	34,000	29,000
Other Engineering	223	31,883	31,333	1.8		37,800	32,400	26,000
HEALTH CARE								
Administrative	11	26,005	22,109	*		*	*	*
Industrial Hygiene	1	24,000	28,826	*		*	*	*
Medical Technology	9	22,606	23,950	*		*	*	*
Nursing / Personal Care	25	25,463	28,200	-9.7		31,109	24,000	20,000

N/A - No historic data available

* Not computed for fewer than 20 offers

Continued . . .

AVERAGE YEARLY SALARY OFFERS Master's Degree Candidates

(Data Combined for Men and Women)

Graduate Program	Number of Offers		Average \$ Offer		Percent Change in \$ Offers from September 1990	Percentiles		
	January 1991	January 1991	September 1990	90th		50th	10th	
BUSINESS								
Accounting	67	\$30,293	\$29,647	2.2%	\$35,000	\$30,000	\$26,000	
MBA-Nontechnical undergraduate								
1 year or less experience	53	31,099	36,175	-14.0	40,000	30,000	24,300	
1 to 2 years experience	12	29,227	43,310	*	*	*	*	
2 to 4 years experience	9	40,253	45,683	*	*	*	*	
Over 4 years experience	28	40,900	45,883	-10.9	50,000	38,000	28,500	
MBA-Technical undergraduate degree								
1 year or less experience	8	31,413	37,737	*	*	*	*	
1 to 2 years experience	5	40,200	48,191	*	*	*	*	
2 to 4 years experience	+	+	50,355	*	*	*	*	
Over 4 years experience	15	43,513	51,452	*	*	*	*	
MS-Business	+	+	34,347	*	*	*	*	
Economics & Finance	4	34,952	36,812	*	*	*	*	
Labor/Industrial Relations								
(incl. Human Resources)	3	31,467	31,487	*	*	*	*	
Management Information Systems ..	6	35,033	33,739	*	*	*	*	
Marketing/Marketing Management								
(incl. Marketing Research)	1	42,000	35,440	*	*	*	*	
COMMUNICATIONS								
Advertising	4	33,250	24,000	*	*	*	*	
Communications	5	26,392	27,602	*	*	*	*	
Journalism	+	+	24,500	*	*	*	*	
EDUCATION								
Education Administration	9	25,857	25,698	*	*	*	*	
Elementary Education	20	23,999	22,893	4.8	28,169	24,500	16,000	
Physical Education	3	21,000	27,508	*	*	*	*	
Reading Education	1	32,944	22,000	*	*	*	*	
Special Education	5	25,958	22,798	*	*	*	*	
HUMANITIES & SOCIAL SCIENCES								
Foreign Languages	1	21,000	24,350	*	*	*	*	
Letters (incl. Eng, Lit, etc)	2	18,750	22,400	*	*	*	*	
Visual & Performing Arts	1	21,325	25,399	*	*	*	*	
Humanities-Other	+	+	24,333	*	*	*	*	
History	+	+	22,500	*	*	*	*	
Political Science/Government	+	+	+	*	*	*	*	
Psychology	7	26,573	24,169	*	*	*	*	
Sociology	+	+	20,500	*	*	*	*	
Social Sciences	7	29,112	26,536	*	*	*	*	
ENGINEERING								
Aerospace & Aeronautical	6	35,187	36,114	*	*	*	*	
Agricultural	+	+	37,700	*	*	*	*	
Bioengineering & Biomedical	+	+	36,500	*	*	*	*	
Chemical	8	39,331	37,862	*	*	*	*	
Civil	31	34,905	32,366	7.8	39,100	35,480	30,000	
Computer	+	+	35,748	*	*	*	*	
Electrical	33	38,166	37,526	1.7	40,500	38,000	34,000	
Industrial	7	34,192	35,362	*	*	*	*	
Mechanical	29	36,143	36,506	-1.0	41,500	36,000	31,940	
Metallurgical	9	38,984	36,792	*	*	*	*	
Mining	9	34,311	39,626	*	*	*	*	
Nuclear	2	37,800	36,728	*	*	*	*	
Petroleum	12	45,283	38,412	*	*	*	*	
Textile	+	+	33,510	*	*	*	*	

N/A - No historic data available

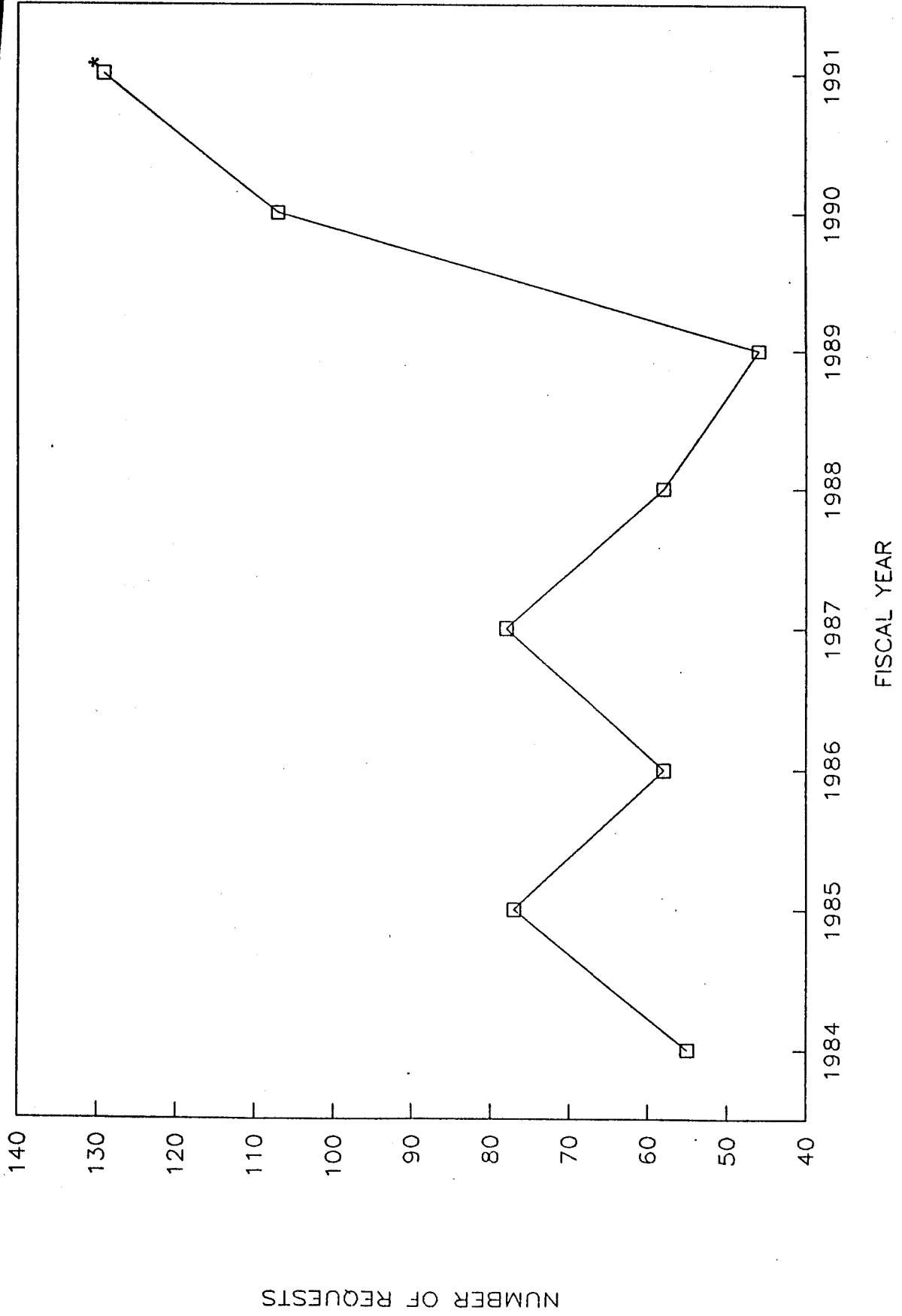
* Not computed for fewer than 20 offers

Continued . .

CE/CET INTERNSHIPS
1990DATE 2-13-91BILL NO. SB 175

NAME	MAJOR	QTR	EMPLOYER	LOCATION
1. Andy Remely (L)	CET	Wtr/Spr	Tait & Associates	Orange, CA
2. Shannon Simon (L)	CET	Wtr/Spr	Tait & Associates	Orange, CA
3. Laura Patten (L)	CE	Sum	Tait & Associates	Orange, CA
Laura Patten (L)	CE	Aut	Tait & Associates	Sacramento, CA
4. Debbie Olsen (L)	CE	Sum	Tait & Associates	Orange, CA
5. DeBar, Joe (L)	CE	Spr	Battelle Pac. NW Lab	Richland, WA
6. Frank Goettlich (L)	CET	Sum/Aut	Tait & Associates	Orange, CA
7. Joe Murphy (L)	CE	Sum	Tait & Associates	Orange, CA
8. Dennis Jurica (V)	CET	Sum	COP Construction	Billings, MT
9. Duane Vinger (V)	CET	Sum	Century Construction	Lewistown, MT
10. Renato Beltran (L)	CET	Sum	Furman Builders	Dale City, VA
11. Leslie Thornburg (L)	CE	Aut	Tait & Associates	Orange, CA
12. Anna Walker (L)	CE	Aut/Wtr	Tait & Associates	Orange, CA
13. Jeff Anderson (L)	CET	Sum	Gt. Falls City Engr.	Great Falls, MT
14. Quentin Eggart (L)	CE	Sum	Montana Dept. of Hwys.	Helena, MT
15. Duane Williams (L)	CET	Sum	Montana Dept. of Hwys.	Helena, MT
16. Ivan Ulberg (L)	CE	Sum	Montana Dept. of Hwys.	Helena, MT
17. Matthew Strizich (L)	CE	Spr/Sum	Montana Dept. of Hwys.	Helena, MT
18. Kevin Christensen (L)	CET	Sum	Montana Dept. of Hwys.	Kalispell, MT
19. Tyrone Cavanaugh (L)	CET	Sum	Montana Dept. of Hwys.	Kalispell, MT
20. Darin Kaufman (L)	CE	Sum	Montana Dept. of Hwys.	Missoula, MT
21. Richard Bolkovatz (V)	CET	Spr/Sum	Montana Dept. of Hwys.	Anaconda, MT
22. Ken Erhardt (V)	CET	Sum	Montana Dept. of Hwys.	Bozeman, MT
23. Geoff Harcourt (L)	CET	Sum	Montana Dept. of Hwys.	Great Falls, MT
24. Neil Curry (L)	CE	Sum	Montana Dept. of Hwys.	Great Falls, MT
25. Stormy Summers (V)	CET	Sum	Montana Dept. of Hwys.	Glasgow, MT
26. Chris Wasia (V)	CE	Sum	Montana Dept. of Hwys.	Billings, MT
27. Scott Thorne (V)	CET	Sum	Gene E. Thorne & Assoc.	Cameron Park, CA
28. Scott Ross (L)	CET	Sum	Washington Contractors Gp	Missoula, MT
29. Loren Cantrell (L)	CET	Sum	Clearwater Constructors	Tucson, AZ
30. Eric Eggar (L)	CET	Sum	Clearwater Constructors	Tucson, AZ
31. George Kolb (V)	CE	Sum	Thomas, Dean & Hoskins	Great Falls, MT
32. Mike Garsjo (V)	CE	Sum	USDA-SCS	Bozeman, MT
33. Ian Bailey (L)	CE	Sum	Thomas, Dean & Hoskins	Kalispell, MT
34. Robert Murray (L)	CE	Sum	Helena City Engineer	Helena, MT
35. Dan Ottman (L)	CET	Sum	Lewis Construction	Great Falls, MT
36. Bill Kieffer (L)	CET	Sum	Sletten Construction	Springerville, AZ
37. Mark Todorovich (V)	CET	Sum	Jim Gilman Excavation	Butte, MT
38. Ann Muhs (V)	CE	Sum	USDA-SCS	Billings, MT
39. Patricia Walsh (V)	CE	Aut	Great Falls City Engr.	Great Falls, MT
40. Matthew Gappa (V)	CE	Sum	Billings-Public Works	Billings, MT
41. Eric Sletten (L)	CE	Sum	Sletten Construction Co.	Great Falls, MT
Eric Sletten (L)	CE	Aut	Sletten Construction Co.	Springerville, AZ
42. Jon Watson (L)	CET	Sum	Westmark Construction	Missoula, MT
43. Joan Gannon (V)	CET	Sum	Golden Sunlight Mine	Whitehall, MT
44. Chad Phillips (V)	CE	Sum	Bureau of Reclamation	Billings, MT
45. Jack Matranga (V)	CET	Sum	Geomax, P.C.	Bozeman, MT
46. Lance Spooner (L)	CET	Sum	The Dengenis Co.	Burlington, MA
47. Tony Adams (L)	CET	Sum	Martin-McIntosh	Bakersfield, CA
48. Kip Walter (L)	CET	Sum	Martin-McIntosh	Bakersfield, CA
49. Kiane Lesser (L)	CET	Sum	Barnard Construction Co.	Walnut, CA
50. Keith Williams (V)	CE	Sum	Chen-Northern, Inc.	Great Falls, MT

PAY EXCEPTIONS



*Estimated

SENATE STATE ADMIN.

EXHIBIT NO. 9

DATE 2-13-91

BILL NO. SB175

SENATE BILL 175

A BILL FOR AN ACT ENTITLED: "An Act Exempting Professional and Management Personnel in The Department of Highways From The Statewide Pay Plan; Amending Section 2-18-103, MCA;

- (16) professional and management personnel in the Department of Highways that are recognized by the department.

Opening

SENATE STATE ADMIN.

EXHIBIT NO. 10

DATE 2-13-91

BILL NO. SB175

Sen Tom Beek

S.B. 175

An adequate staff of well trained and educated people is essential for the efficient and effective operation of the Department of Highways. The inability to recruit qualified people in the engineering field, combined with problems in retaining them, is becoming a major concern. These recruitment and retention problems will have a long-lasting and far-reaching effect on Montana's overall highway program in regard to both the quantity and quality of projects let to contract.

Engineers are needed throughout the department. Without an adequate staff of engineers, several things will happen. The quality of the overall design and plans will decline, resulting in contractor problems, contractor claims and, in general more costly projects. The quality of work could drop to such an extent that we would not have enough projects ready to spend the funds that are available. This would result in a loss of federal-aid highway funds. If the quality of our construction efforts decline this could result in projects having to be rebuilt or repaired earlier than anticipated.

Several weeks ago, the department was informed that Montana will receive approximately \$20 million more in federal funds for highway construction than it has in the past. Our need for engineers will increase, even though we have not been able to hire enough engineers to meet our present needs.

One of the major changes that has been made in recent months in order to hire engineering personnel was to lower the minimum qualifications for starting Civil Engineer I positions. In the past, the department required applicants filling these positions to have passed the EIT exam and have an EIT certification. These requirements have been dropped because this eliminated too many possible candidates from consideration. Dropping this requirement has resulted in the department hiring roughly one Civil Engineer for every three or four CETs. This clearly is not the answer to our problem of recruitment and retention of engineers.

The same problem applies to management and project personnel. Standards have been lowered and retention remains a problem. As with a loss of engineers the impact on the states highway program will be the same.

We believe the problem is caused by low salaries and will continue to get worse until something is done. It is interesting to note that North Dakota gave its starting engineers a \$250 per month salary increase and all other engineers a \$200 per month salary increase in July 1989. This was done because they were having problems recruiting and retaining engineers. The most interesting part is that at the time the raises were granted, their engineers were already making more than Montana's.

Something needs to be done about our essential highway employees salaries now. The positions in the higher ranking jobs are increasing underpaid. Our employees will not accept the 20-30% differences in salary to stay in Montana. They can not afford to stay in Montana. It is clear that more and more employees will make the decision to leave Montana in the future unless something is done.

The amendments to S.B. 264 do the following:

The amendment on page 1 allows the Optional Retirement Program (ORP) contribution to vary from a floor of 10% (its present rate) and 14.5% (the TRS rate). It would only go above 10% if the University System were able to finance the increase from its regular operating budget. This allows the University System to possibly begin to close the gap between retirement contributions made on behalf of TRS members (14½%) and those made on behalf of ORP participants (10%).

The amendments on page 2 do three things. First, the University System will transfer to TRS \$750,000 for each of the next two years (\$1,500,000 total for the biennium). Last year the 4½% contribution to TRS from the University System on behalf of ORP members was \$677,402. The \$750,000 is meant to reimburse TRS for the biennium for the discontinuation of the flat 4½% payment and to more or less hold the status quo for the next two years. The money would come from the University System budget.

Second, the amendment requires the Regents, TRS and the Legislative Auditor to make a determination of the University System's "share" of TRS' unfunded liability. This is similar to what was mandated by the Legislature in 1987, but this time it will not be done "in house" by TRS alone. This should avoid the questions that arose over the adequacy and validity of TRS' conclusions.

Third, TRS and the Regents are directed to come back to the 1993 legislature with a proposal to fund the University System share of the TRS unfunded liability from a source other than local property tax levies. While the Regents do not agree that their present proposal would have any effect on local property taxes, this amendment is meant to reassure all parties of that fact.

Amend S.B. 264 as follows:

Page 1, lines 17 and 18, strike "~~an--amount--equal--to--the employer--contribution--required--under--19-4-605~~" and insert "a uniform amount for each participant at a level determined by the board of regents. In no event shall the employer contribution exceed the employer contribution required under 19-4-605, nor shall the employer contribution, when added to the employee contribution, be less than 10% of the participants earned compensation."

Page 2, after line 15 insert a New Section 2 to read:

"Section 2. (a) On January 1, 1992 the board of regents shall transfer to the teachers retirement system \$750,000. On January 1, 1993 the board of regents shall transfer to the teachers retirement system \$750,000.

(b) The teachers retirement system and the board of regents, in cooperation with the office of legislative auditor shall attempt to determine the portion of the teachers retirement system unfunded liability incurred prior to July 1, 1987 attributable to the Montana university system and the amount of that unfunded liability that will be retired through Montana university system employer contributions pursuant to 19-4-605. The teacher's retirement system and the board of regents shall present to the 53rd legislature a proposal to fund from sources other than local property tax levies the remaining portion of unfunded liability attributable to the Montana university system.

(c) This section expires on June 30, 1993."

Amendments to Senate Bill No. 251
First Reading Copy

For the Committee on State Administration

Prepared by David S. Niss
February 12, 1991

1. Title, lines 8 through 10.
Strike: "AUTHORIZING" on line 8 through "PROCESS;" on line 10
2. Title, line 13.
Strike: "44-1-705,"
3. Title, line 14.
Strike: "44-1-901,"
Insert: "AND"
Strike: ", AND 44-1-903"
Strike: "; AND REPEALING SECTION 44-1-807, MCA"
4. Page 1, line 24.
Following: "suspend,"
Insert: "or"
Strike: ", or reprimand"
5. Page 2, lines 7 through 11.
Following: line 6
Strike: Section 3 in its entirety
Re-number: subsequent sections
6. Page 3, lines 8 through 14.
Following: line 7
Strike: Section 7 in its entirety
Re-number: subsequent sections
7. Page 3, line 21 through line 5 on page 4.
Following: line 20
Strike: Section 9 in its entirety
Re-number: subsequent sections

8. Page 4, lines 10 and 11.
Following: line 9
Strike: Section 11 in its entirety

Employment Statistics for Civil Engineers and Construction Engineering Technologists

SENATE STATE ADMIN.

EXHIBIT NO. ~~13~~ / 13

DATE 2-13-91

BILL NO. 53175

Starting Salaries - Average:

	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>	<u>In-state</u> <u>1989-90</u>	<u>Out-of-state</u> <u>1989-90</u>	<u>National</u> <u>1989-90</u>
BSCE	25,140	24,700	27,750	20,600	29,000	28,100
BSCET	25,700	25,800	26,830	24,500	27,190	29,300

Employment by Location:

<u>Place</u>	<u>BSCE</u>			<u>BSCET</u>		
	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>
Montana	13	18	9	8	7	4
West/West Coast	14	8	12	5	9	9
Rocky Mtns.	6	3	3	4	1	2
South/South-west	2	1	1	2	2	5
Central	3	1	1	6	0	0
East/South-east	2	4	0	4	2	2
Midwest	2	2	1	1	0	1
Foreign	0	0	0	1	0	0

Employment by Employer:

<u>Type</u>	<u>BSCE</u>			<u>BSCET</u>		
	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>
Consultant	18	20	11	3	3	5
Contractor/Constr.	-	-	-	19	14	14
Government	9	6	8	3	1	1
Industrial	7	6	5	4	1	0
Military	2	1	-	2	1	3
Grad School	5	5	3	1	1	-
Other	1	-	-	-	-	-

DEPARTMENT OF ADMINISTRATION
STATE PERSONNEL DIVISION

STAN STEPHENS, GOVERNOR

STATE OF MONTANA

(406) 444-3871

HELENA, MONTANA 59620

SENATE STATE ADMIN.

EXHIBIT NO. 14

DATE 2-13-91

BILL NO. SB 175
ROOM 130, MITCHELL BUILDING

TESTIMONY OF STEVE JOHNSON
IN OPPOSITION TO SB 175

Madam Chair, members of the committee, my name is Steve Johnson. I am Chief of the State Labor Relations Bureau, and I appear before you today on behalf of the administration in opposition to SB 175.

SB 175 would exempt certain employees of the Department of Highways from coverage by the state classification and pay plan, as well as the general personnel policies covering state employees. Although SB 175 is not clear as to which employees it covers, we estimate that it would exempt 150 to 225 positions. This comprises about two percent of the employees currently covered by the statewide matrix. Even though the bill does not provide for a pay increase, the effect of SB 175 would be to enable the Department of Highways to provide this group of employees with pay rates above and beyond those incorporated in the statewide pay matrix. HB 337 would appropriate about a million dollars for this purpose.

The employees this bill affects are obviously frustrated with the state's pay practices. They have not had a significant pay increase in many years. Because of pay compression in the statewide matrix, professional salaries in state government are generally well below the market. In order to fill crucial professional, technical and managerial positions, many agencies have been forced to seek pay exceptions, which allow them to recruit at higher rates than those provided in the statewide matrix. As a result, the number of pay exception requests in the past year has skyrocketed. [Give handout.]

Pay exceptions are not fair to either the workers or managers in agencies that do not have the resources or authority to seek them. The increasing use of pay exceptions is returning state government to pre-1975 pay practices, where an employee's salary is not based on the work she does, but rather, on the relative affluence of the state agency that employs her. The result of continuing and perpetuating either exemptions or pay exceptions will be a situation where non-general funded agencies will be paying more for employees in a similar class than general-funded agencies. This creates gross and manifest inequities between agencies, and is precisely the problem that the legislature sought to avoid when it authorized a statewide classification and pay plan in 1973.

In addition to pay exceptions, other patchwork solutions to the state's pay problems have been used by various groups within state government. For example, like those employees targeted by SB 175, other groups have managed to become statutorily exempt. During the last legislative session, employees of the state fund received an exemption and, as a result, state fund professional employees received an increase twice as large as the pay increase granted to other professionals in state government.

The administration believes that it is time to stop addressing chronic pay problems through exceptions and exemptions. This approach is like using a Band-Aid when you really need a tourniquet or a transplant. The administration proposes that the problem be addressed in a comprehensive, rather than piecemeal fashion, through the adoption of a market-based pay philosophy.

As many of you are aware, the 1989 legislature established a Committee on State Employee Compensation to study the state's pay practices and recommend appropriate changes. The Committee worked for more than a year. Its final recommendation was that the state adopt a market-based pay philosophy and establish pay ranges that reflect the market. The Governor's pay plan incorporates that philosophy.

Rather than singling out groups for special treatment, a market-based pay system treats employees fairly and consistently. Instead of rewarding certain employees for their political savvy, a market-based pay system provides the legislature with a rational method for determining pay increases. Unlike SB 175, which promotes further erosion and fragmentation of the statewide pay plan, a market-based pay system provides a vehicle for a comprehensive solution to pay problems.

There are other problems with SB 175 that you should also consider. The Department of Highways is not the only state agency that employs professional engineers. The Departments of Fish, Wildlife and Parks, Natural Resources and Conservation, State Lands, and Health and Environmental Sciences also employ engineers. By passing SB 175 you will be robbing Peter to pay Paul. After the legislature exempted state fund employees in 1989, that agency was able to "steal" employees from other agencies, by offering them more money to do essentially the same work. We have enough trouble competing with the private sector and other state governments for employees. Why compete amongst ourselves?

We strongly urge the legislature to address state employee pay in a comprehensive manner by adopting a rational pay philosophy. Such a philosophy was developed by the state employee compensation committee and adopted by the governor. SB 175 does not fix the problem. It only puts a Band-Aid on it that covers one small group of employees. For the sake of fairness, we urge a "do not pass" vote on SB 175.

Thank you for your time and consideration.

WITNESS STATEMENT

To be completed by a person testifying or a person who wants
their testimony entered into the record.

Dated this 13 day of FEB., 1991.

Name: GARY GILMORE

Address: 671 EASTSIDE ROAD
DEER LODGE, MT.

Telephone Number: 846-2475

Representing whom?

SELF

Appearing on which proposal?

SB 175

Do you: Support? ☒ Amend? ☐ Oppose? ☐

Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and some minor discoloration or shadows, suggesting it's a physical scan. There is no handwriting or other markings on the paper.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 13 day of February, 1991.

Name: Theodore E. Langst

Address: 521 W. Olive
Bozeman, Mt. 59715

Telephone Number: 994-2111

Representing whom?

~~Answer to~~ SELF.

Appearing on which proposal?

SB-175

Do you: Support? X Amend? _____ Oppose? _____

Comments:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 13th day of Feb., 1991.

Name: Gordon L. Larsen

Address: 904 Middlemas Rd.

Helena, MT 59601

Telephone Number: 442-0639

Representing whom?

Self

Appearing on which proposal?

SB 175

Do you: Support? X Amend? Oppose?

Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance, typical of standard notebook paper. There is no handwriting or other markings on the page.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 13, 1991

MR. PRESIDENT:

We, your committee on State Administration having had under consideration House Bill No. 427 (third reading copy -- blue), respectfully report that House Bill No. 427 be concurred in and unanimously recommend that it be placed on the Consent Calendar.

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

JA 2/13/91
Amd. Coord.

SB 2-12 12:25
Sec. of Senate

331212SC.Sj1

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 13, 1991

HR. PRESIDENT:

We, your committee on State Administration having had under consideration House Bill No. 372 (third reading copy -- blue), respectfully report that House Bill No. 372 be concurred in and unanimously recommend that it be placed on the Consent Calendar.

Signed: Eleanor Vaughn

Eleanor Vaughn, Chairman

1/13/91 2113/91
And. Coord.

SB 2-13 12:35
Sec. of Senate

331208SC.Sj1

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 13, 1991

MR. PRESIDENT:

We, your committee on State Administration having had under consideration Senate Bill No. 251 (first reading copy -- white), respectfully report that Senate Bill No. 251 be amended and as so amended do pass:

1. Title, lines 8 through 10.

Strike: "AUTHORIZING" on line 8 through "PROCESS;" on line 10

2. Title, line 13.

Strike: "44-1-705,"

3. Title, line 14.

Strike: "44-1-901,"

Insert: "AND"

Strike: ", AND 44-1-903"

Strike: "; AND REPEALING SECTION 44-1-807, HCA"

4. Page 1, line 24.

Following: "suspend,"

Insert: "or"

Strike: ", or reprimand"

5. Page 2, lines 7 through 11

Following: line 6

Strike: Section 3 in its entirety

Renumber: subsequent sections

6. Page 3, lines 8 through 14.

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Strike: Section 7 in its entirety

Renumber: subsequent sections

7. Page 3, line 21 through line 5 on page 4.

Following: line 20

Strike: Section 9 in its entirety

Renumber: subsequent sections

8. Page 4, lines 10 and 11.

Following: line 9

Strike: Section 11 in its entirety

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

Feb 2-13-91
And. Coord.

2B 2-13
Sec. of Senate

331216SC.8jl